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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,765	02/12/2002	Ashish Banerji	PD-201157	9961
20/991 7590 01/15/2010 THE DIRECTV GROUP, INC. PATENT DOCKET ADMINISTRATION CA / LA1 / A109 2230 E. IMPERIAL HIGHWAY EL SEGUNDO, CA 90245				
EXAMINER				
VO, TUNG T				
ART UNIT		PAPER NUMBER		
2621				
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01/15/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/074,765

Applicant(s)

BANERJI ET AL.

Examiner

Tung Vo

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/18/2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/CB/CIC)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 and 11-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Savatier (US 5,400,075) as set forth in the previous office action mailed on 08/18/2009.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 3, 5, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savatier (US 5,400,075) in view of Tahara et al. (US 5,805,225) as set forth in the previous office action mailed on 08/18/2009.

3. Claims 4 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savatier (US 5,400,075) in view of Carnahan (US 5,414,780) as set forth in the previous office action mailed on 08/18/2009.
4. Claims 6, 7, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savatier (US 5,400,075) in view of claim 1 and in view of Kato et al. (US 5,719,986) as set forth in the previous office action mailed on 08/18/2009.
5. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savatier (US 5,400,075) in view of Weinberger et al (US 5,680,129) as set forth in the previous office action mailed on 08/18/2009.
6. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Savatier (US 5,400,075) in view of Moroney et al. (US 5,771,239) as set forth in the previous office action mailed on 08/18/2009.

Response to Arguments

7. Applicant's arguments filed 11/18/2009 have been fully considered but they are not persuasive.

The applicant argues that Savatier is silent as to whether or not the P-frames and the B-frames between two I- frames are compressed independently of any other frames and Savatier is equally silent as to grouping video frames that are only between consecutive I-frames into a

video data set as set forth in independent claims 1, 17, 19, and 22, and splitting the video data set consisting of non- intra video frames into a plurality of data sequences as set forth in independent claim 21.

The examiner strongly disagrees with the applicant. It is submitted that Savatier discloses the P-frames and the B-frames (see figure 1, note BBPBBPBB of fig. 1) between two I-frames (I beginning of GOFi of fig. 1; and I ending of GOFi of fig. 1) are compressed independently of any other frames (P or B frames are encoded by the encoder, figure 3). Savatier discloses when intra encoding mode is selected for coding, MPEG standard for encoding, I frame as intra frame is encoded in the intra encoding mode (col.2, line 65-col. 3, line 12). Savatier further discloses when the inter encoding mode is selected, the encoder encodes only P or B frames within the I frames of GOFi (col. 3, lines 13-45), so this disclosure clearly suggests grouping video frames (P and B frames are within GOFi that comprises consecutive I-frames) that are only between consecutive I-frames (GOFi comprises two consecutive I-frames, figure 1) into a video data set (P and B frames only when the encoder (fig. 3) selects inter-frame coding, col. 3, lines 13-45); and splitting the video data set consisting of non- intra video frames (P or B frames) into a plurality of data sequences (col. 2, lines 54-66, see figure 1). In view of the discussion above Savatier clearly anticipates the claimed invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Wednesday, Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Tung Vo/

Primary Examiner, Art Unit 2621